

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CAPITAL AREA IMMIGRANTS' RIGHTS
COALITION, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, *et al.*,

Defendants.

Civil Action No. _____

**MOTION FOR EXPEDITED HEARING ON PLAINTIFFS' MOTION FOR
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Plaintiffs, by and through their undersigned counsel and pursuant to Local Civil Rules 7(f), 65.1, and 78.1, hereby file this Motion for Expedited Hearing on Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction. Plaintiffs request that the Court set a hearing on Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction ("TRO Motion") within three days, or—if an administrative stay is entered—within no more than twenty-one days, as provided under Local Civil Rule 65.1(d).

Plaintiffs submit the following statement of facts as to why an expedited hearing is essential pursuant to Local Civil Rule 65.1(d):

1. Absent enjoinder, the interim final rule challenged in the Complaint, "Asylum Eligibility and Procedural Modifications," 84 Fed. Reg. 33,829 (July 16, 2019) (the "Rule") immediately will operate to deny substantial numbers of migrants the ability to seek asylum under the laws of the United States. Many of these migrants seek asylum in the United States on

account of severe violence and persecution that they suffered and likely would continue to suffer in their countries of origin.

2. If the Rule is not enjoined, many individuals who are apprehended upon entry and placed in expedited removal proceedings will have their credible-fear interviews conducted in a matter of days, and individuals who are found to lack a reasonable fear of persecution will face immediate deportation, and the threat of return to the same violence and persecution from which they fled. The consequences of such deportation would be irreparable, and that could well be fatal.

3. For the reasons set forth in the Complaint, Plaintiffs Capital Area Immigrants' Rights Coalition ("CAIR Coalition") and Refugee and Immigrant Center for Education and Legal Services, Inc. ("RAICES") will face immediate and irreparable harm to their resources and organizational objectives in the event that the Rule is implemented and enforced.

4. In light of the immediate and irreparable consequences of the Rule, Plaintiffs respectfully request that the Court set a hearing on Plaintiffs' motion for a Temporary Restraining Order within three days of this Motion. In the alternative, Plaintiffs request that the Court enter an administrative stay, and set a hearing on Plaintiffs' motion within 21 days of this Motion, as provided under Local Civil Rule 65.1(d). Plaintiffs further respectfully request that the Court issue an order setting a briefing schedule on Plaintiffs' TRO Motion in advance of any hearing. As noted in Plaintiffs' Certificate of Counsel Regarding Compliance with Local Rule 65.1, counsel for Plaintiffs also requested to meet and confer with counsel for Defendants on their proposed briefing schedule.

5. Under Federal Rule of Civil Procedure 65(b), the temporary restraining order that Plaintiffs request in their accompanying TRO Motion will expire within fourteen days of entry, if

granted. An expedited hearing on Plaintiffs' request for a preliminary injunction on or before the expiration of the temporary restraining order also will be necessary to prevent further harm to Plaintiffs.

For the foregoing reasons, Plaintiffs respectfully request that the Court enter an administrative stay, set an expedited hearing on Plaintiffs' TRO Motion, and issue an order entering a briefing schedule as set forth above.

July 16, 2019

Respectfully submitted,

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**Pro hac vice application forthcoming*

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** Motion for admission and pro hac vice
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**[PROPOSED] ORDER GRANTING MOTION FOR EXPEDITED HEARING ON
PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

Pursuant to Local Civil Rules 65.1 and 78.1, and having reviewed Plaintiffs' Motion for Expedited Hearing on Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction (the "Motion,") any response thereto, and the record in this case, the Court hereby **ORDERS** that the Motion is **GRANTED**. The Court sets Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction ("TRO Motion") for a hearing at _____ on _____, 2019, and sets a briefing schedule as follows: Defendants' opposition to the TRO Motion is due on _____, 2019, and Plaintiffs' reply is due on _____, 2019.

IT IS SO ORDERED.

Date: _____

United States District Judge